

1 THE HONORABLE JOHN C. COUGHENOUR
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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 UNITED STATES OF AMERICA,

11 Plaintiff,

v.

12 JUSTIN LEE TRIPP,

13 Defendant.

14 CASE NO. CR11-0134-JCC

ORDER

15 This matter comes before the Court on Defendant Justin Lee Tripp's motion for
16 revocation of supervised release and sentencing in absentia (Dkt. No. 85 at 3). Having
17 thoroughly considered the parties' briefing and the relevant record, the Court DENIES the
18 motion for the reasons explained herein.

19 Defendant pled guilty to Unlawful Production of an Identification Document and
20 Aggravated Identity Theft. (Dkt. Nos. 15, 39.) The Court sentenced him to imprisonment,
21 followed by 36 months of supervised release, which commenced in December 2013. (Dkt. Nos.
22 62, 73.) While on supervised release, Defendant was arrested and convicted of identity theft in
23 Nevada. (Dkt. Nos. 85 at 3, 86 at 1.) This Court issued a warrant under seal for Defendant to
24 appear regarding these and other alleged violations of the terms of his supervised release. (Dkt.
25 No. 75.) As a result, Defendant is subject to a U.S. Marshal's detainer, requiring that he be
26 transferred to federal custody in Washington. (Dkt. Nos. 85 at 3–4, 86 at 1–2.)

Defendant moves the Court to revoke his supervised release, sentence him in absentia, and run the sentence concurrent to his Nevada sentence. (Dkt. No. 85 at 6.) Defendant provides no legal authority supporting the relief he requests (*see generally* Dkt. No. 85) nor is this Court aware of any. Once Defendant completes his Nevada imprisonment, he will be transferred to federal custody and transported to Washington. The Court will then consider revocation of his supervised release and whether to impose further imprisonment in accordance with 18 U.S.C. § 3583(e). *See U.S. v. Knight*, 580 F.3d 933, 937–40 (9th Cir. 2009).

For the foregoing reasons, Defendant's motion (Dkt. No. 85) is DENIED.

DATED this 11th day of January 2018.

John C. Coykendall

John C. Coughenour
UNITED STATES DISTRICT JUDGE